

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MEGAN ENGLISH,
Plaintiff,

v.

TURN 5, INC.,
Defendant.

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CIVIL ACTION
NO. 19-5277

ORDER

AND NOW, this 16th day of October, 2020, upon consideration of Defendant's Partial Motion to Dismiss (ECF No. 9) and the Responses filed thereafter (ECF Nos. 10, 13), and for the reasons set forth in the Court's accompanying Memorandum, it is hereby ORDERED as follows:

1. Defendant's Partial Motion to Dismiss (ECF No. 9) is GRANTED IN PART and DENIED IN PART:
 - a. Defendant's Motion is GRANTED with respect to Plaintiff's constructive discharge claim in Count I (Title VII) and Count III (PHRA). These claims are DISMISSED WITH PREJUDICE.
 - b. Defendant's Motion is GRANTED as to Plaintiff's unlawful demotion claim in Count III (PHRA). That claim is DISMISSED WITH PREJUDICE.
 - c. Defendant's Motion is DENIED with respect to Plaintiff's retaliation claim under Title VII (Count I) and the PHRA (Count III).
 - d. Defendant's Motion is DENIED as to Plaintiff's failure-to-promote claim under the PHRA (Count III).
2. Defendant's Partial Motion to Dismiss (ECF No. 5) is DENIED as MOOT.
3. Defendant shall file an answer to the First Amended Complaint on the remaining claims no later than **Friday, November 6, 2020.**

BY THE COURT:

/s/ C. Darnell Jones, II
C. DARNELL JONES, II J